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3
4 BILL NO. Z-73-04-07

5 ZONING MAP ORDINANCE NO. Z Walsham

6 AN ORDINANCE amending the City of Fort
7 Wayne Zoning Map No. 1320 to establish
8 a Mobile Home Park Boundary.

9 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
10 FORT WAYNE, INDIANA:

11 SECTION 1. That the area described as follows is
12 hereby changed to establish a Mobile Home Park boundary, under
13 the terms of Chapter 36, Municipal Code of the City of Fort
14 Wayne, Indiana, 1946, as amended by General Ordinance No. 2836
15 and amendments thereof; and the symbols of the City of Fort
16 Wayne Zoning Map No. 1320, referred to therein, established by
17 Section 9, Article III of said Chapter as amended, are hereby
18 changed accordingly, to-wit:

19 Part of the Southeast Quarter of Section 16, Township
20 30 North, Range 13 East, Allen County, Indiana, in par-
21 ticular described as follows, to-wit:

22 Commencing on the East line of said Quarter Section as
23 defined by the centerline of the public road known as
24 the Adams Center Road, at a point situated 835 feet South
25 of the East Quarter corner of said Section; thence Westerly
26 by a deflection right of 89 degrees 17 minutes from the
27 Southerly direction of the aforesaid road centerline, a
28 distance of 285.5 feet; thence Southerly by a deflection
29 left of 89 degrees 17 minutes on a line parallel to the
30 East line of said Quarter Section, a distance of 388.3
31 feet; thence Westerly by a deflection right of 89 degrees
32 17 minutes on a line parallel to the North line of said
33 Quarter Section, a distance of 350 feet; thence Southerly
34 by a deflection left of 89 degrees 17 minutes on a line
35 parallel to the East line of said Quarter Section, a dis-
tance of 539.2 feet, to a point situated 1762.5 feet South
of the North line of said Quarter Section and the Northwest
corner of 0.95 acres conveyed to S & D Facilities, Inc.
by Deed Record 672, page 73; thence Easterly by a deflec-
tion left of 90 degrees 43 minutes on a line parallel to
the North line of said Quarter Section and coincidental
with the North line of S & D Facilities, Inc., a distance
of 190 feet to a point on the left (West) bank of the
Trier Ditch, as situated 15 feet, more or less, Westerly
of the ditch centerline; thence Southwesterly along the
left bank of said Trier Ditch to a point situated 635.5
feet West of the East line of said Quarter Section and
2144.3 feet South of the North line of said Quarter Section,
at a point 58.2 feet North of the centerline of the Trier
Ditch, (said point on the centerline of the Trier Ditch
called the "West Bank" in deed to S & D Facilities, Inc.,)

thence Southwesterly along the said ditch left high bank by a deflection right of 27 degrees 11 minutes from the Southerly extension of the West line of the East 635.5 feet of said Quarter Section, a distance of 306.7 feet; thence continuing Southwesterly by a deflection right of 31 degrees 41 minutes (30 degrees 41 minutes deed), a distance of 235.9 feet; thence continuing Southwesterly by a deflection left of 7 degrees 0 minutes, a distance of 166.8 feet to the South line of said Quarter Section at a point as along said South Section line measured 50 feet Westerly of its intersection by the Trier Ditch channel centerline; thence Easterly along the said South Section line by a deflection left of 142 degrees 15 minutes, a distance of 1108.5 feet to the Southeast corner of said Section as on the centerline of the public highway known as the Adams Center Road situated; thence northerly along the said Quarter Section East line as defining the centerline of the aforesaid highway, a distance of 1806.1 feet (1808.7 feet by deed calculation) to the place of beginning; EXCEPTING the area occupied by the left high bank of said Trier Ditch as situated between the left high bank traverse and the ditch channel center, embracing thereon 0.40 acres, more or less; containing 23.892 acres, more or less;

SUBJECT TO a public highway upon and over the East 25 feet thereof occupied by the said Adams Center Road and SUBJECT TO an Easement for public road purposes upon and over portions of the West 25 feet thereof, contingent upon a like Easement to be imposed upon the East 25 feet of the land situated West of and adjacent to the SUBJECT TRACT; TOGETHER with Easement pertinent to an area circular in plan upon said adjoining land situated, having a radius of 85 feet centered at a point 695.5 feet West of the East line of the East one-half of the Southeast Quarter, Section 16, aforesaid and 2000.0 feet South of the North line of said Quarter Section; ALL in accordance with Deed Record 653, pages 14-16, and Deed Record 653, pages 31-33;

SUBJECT TO a legal right-of-way for an open ditch or drain known as the Trier Ditch, 75 feet from the top of each bank in accordance with Article 6, Section 601, of the Indiana Drainage Code.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.


Councilman

APPROVED AS TO FORM
AND LEGALITY,


CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by Talmer, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 4/10/73

Charles W. Whitman
CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage. Passed (LOST) by the following vote:

	AYES _____	NAYS _____	ABSTAINED _____	ABSENT _____	to-wit:
BURNS	_____	_____	_____	_____	
HINGA	_____	_____	_____	_____	
KRAUS	_____	_____	_____	_____	
MOSES	_____	_____	_____	_____	
NUCKOLS	_____	_____	_____	_____	
SCHMIDT, D.	_____	_____	_____	_____	
SCHMIDT, V.	_____	_____	_____	_____	
STIER	_____	_____	_____	_____	
TALARICO	_____	_____	_____	_____	

DATE: _____

Charles W. Whitman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____ on the _____ day of _____, 197____.

ATTEST: (SEAL)

Charles W. Whitman
CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 10, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-04-07; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, The City Plan Commission scheduled a public hearing on such proposed ordinance for May 14, 1973; and,


WHEREAS, a letter dated May 14, 1973, requesting postponement of the proposed ordinance had been filed with the City Plan Commission by the attorney representing the petitioner; and,

WHEREAS, a letter dated June 13, 1973, requesting the proposed ordinance be WITHDRAWN, has been filed with the City Plan Commission by the attorney representing the petitioner.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN in accordance with the written request of the petitioner.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

CERTIFIED AND SIGNED THIS
21st DAY OF JUNE, 1973



Gretchen Wiegel
Secretary

RECEIPT

No 188

GENERAL FUND

FT. WAYNE, IND. 3/19 1923RECEIVED FROM Kenosha Land Inc \$ 50.00THE SUM OF Fifty no ¹⁰⁰ DOLLARSON ACCOUNT OF SW Corner Adams Center Rd & Mueller Rd
by N.E. of May Shambaugh's Tractor Co.
RezoneW. Hartman

AUTHORIZED SIGNATURE

Bill No. Z-73-04-07

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
Amending the City of Fort Wayne Zoning Map No. 1320
to establish a Moblie Home Park Boundary

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance *With leave* ~~has~~ PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga -

Paul M. Burns

Donald J. Schmidt

CONCURRED IN

DATE 6-26-73 CHARLES W. WESTERMAN, CITY CLERK

PETITION FOR ZONING ORDINANCE AMENDMENT

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

NO. _____

DATE FILED: _____

INTENDED USE: _____

I/We KENOSHA LAND, INC. Applicant's Name or Names

Do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana by reclassifying from an _____ District to a MHP District the property described as follows:

General Description (Prepared by Planning _____)

(SEE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTION)

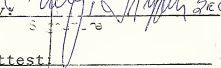
Legal Description

Legal Description Checked by (City Engineer) _____

The undersigned Applicant(s) upon the execution and submission of this petition for zoning ordinance amendment, understands and agrees that:

1. I/We request for continuances or requests that ordinances be considered at a hearing to be held in writing in the Office of the City Plan Commission by noon of the _____ day preceding the meeting of the City Plan Commission at _____ on the _____ day of _____, _____ if the request for a continuance or for the ordinance to be considered is not filed within the required time, the head of the Plan Commission shall advise the members of the agency for the meeting at which it was to be considered. _____, the request is filed for continuance or delay in the consideration of an ordinance, it shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and informing him of the time and place of the next meeting at which the proposed ordinance will be considered. In the event the time and place of the meeting is not known at the time that the request for continuance is filed, it shall be the duty of the petitioner to notify all persons notified by the Plan Commission Office when the time and place of hearing is determined.

I/We hereby certify that as the undersigned, I am / We are the owner (s) of _____ percentum or more of the property described in this petition.

<u>KENOSHA LAND, INC.</u> Name	<u>Room 510</u> <u>625-57th Street</u> <u>Kenosha, Wisconsin 53140</u>	By: <u></u> Sec
_____	_____	Attest: _____
_____	_____	By: <u>Bonnie Erickson</u>

This petition for zoning ordinance amendment prepared by:

<u>George P. Mallers</u> Name	<u>2200 Fort Wayne Bank</u> Address	<u>219/743-9706</u> Telephone
_____	<u>Fort Wayne, Indiana 46802</u>	_____

City Plan Commission - One Main Street - City-County Building - Fort Wayne, Indiana - 46802

Part of the Southeast Quarter of Section 16, Township 30 North, Range 13 East, Allen County, Indiana, in particular described as follows, to-wit:

Commencing on the East line of said Quarter Section as defined by the centerline of the public road known as the Adams Center Road, at a point situated 835 feet South of the East Quarter corner of said Section; thence Westerly by a deflection right of 89 degrees 17 minutes from the Southerly direction of the aforesaid road centerline, a distance of 285.5 feet; thence Southerly by a deflection left of 89 degrees 17 minutes on a line parallel to the East line of said Quarter Section, a distance of 388.3 feet; thence Westerly by a deflection right of 89 degrees 17 minutes on a line parallel to the North line of said Quarter Section, a distance of 350 feet; thence Southerly by a deflection left of 89 degrees 17 minutes on a line parallel to the East line of said Quarter Section, a distance of 539.2 feet, to a point situated 1762.5 feet South of the North line of said Quarter Section and the Northwest corner of 0.95 acres conveyed to S & D Facilities, Inc. by Deed Record 672, page 73; thence Easterly by a deflection left of 90 degrees 43 minutes on a line parallel to the North line of said Quarter Section and coincidental with the North line of S & D Facilities, Inc., a distance of 190 feet to a point on the left (West) bank of the Trier Ditch, as situated 15 feet, more or less, Westerly of the ditch centerline; thence Southwesterly along the left bank of said Trier Ditch to a point situated 635.5 feet West of the East line of said Quarter Section and 2144.3 feet South of the North line of said Quarter Section, at a point 58.2 feet North of the centerline of the Trier Ditch, (said point on the centerline of the Trier Ditch called the "West Bank" in deed to S & D Facilities, Inc.,) thence Southwesterly along the said ditch left high bank by a deflection right of 27 degrees 11 minutes from the Southerly extension of the West line of the East 635.5 feet of said Quarter Section, a distance of 306.7 feet; thence continuing Southwesterly by a deflection right of 31 degrees 41 minutes (30 degrees 41 minutes deed), a distance of 235.9 feet; thence continuing Southwesterly by a deflection left of 7 degrees 0 minutes, a distance of 166.8 feet to the South line of said Quarter Section at a point as along said South Section line measured 50 feet Westerly of its intersection by the Trier Ditch channel centerline; thence Easterly along the said South Section line by a deflection left of 142 degrees 15 minutes, a distance of 1108.5 feet to the Southeast corner of said Section as on the centerline of the public highway known as the Adams Center Road situated; thence Northerly along the said Quarter Section East line as defining the centerline of the aforesaid highway, a distance of 1806.1 feet (1808.7 feet by deed calculation) to the place of beginning; EXCEPTING the area occupied by the left high bank of said Trier Ditch as situated between the left high bank traverse and the ditch channel center, embracing thereon 0.40 acres, more or less; containing 23.892 acres, more or less;

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SUBJECT TO an Easement for public road purposes upon and over portions of the West 25 feet thereof, contingent upon a like Easement to be imposed upon the East 25 feet of the land situated West

of and adjacent to the SUBJECT TRACT; TOGETHER with Easement pertinent to an area circular in plan upon said adjoining land situated, having a radius of 85 feet centered at a point 695.5 feet West of the East line of the East one-half of the Southeast Quarter, Section 16, aforesaid and 2000.0 feet South of the North line of said Quarter Section; ALL in accordance with Deed Record 653, pages 14-16, and Deed Record 653, pages 31-33;

SUBJECT TO a legal right-of-way for an open ditch or drain known as the Trier Ditch, 75 feet from the top of each bank in accordance with Article 6, Section 601, of the Indiana Drainage Code.

ADAIR, PERRY, BEERS, MCALISTER & MALLERS
ATTORNEYS
2200 FORT WAYNE NATIONAL BANK BUILDING
FORT WAYNE, INDIANA 46802

RAMON S. PERRY
ORVAS E. BEERS
DALTON C. MCALISTER
GEORGE P. MALLERS
HARRY W. SCOTT
PHILIP H. LARMORE
STEPHEN W. ADAIR
THOMAS E. RUZZO

May 14, 1973

RICHARD W. GOSHORN
OF COUNSEL
TELEPHONE 743-9706
AREA CODE 219



Fort Wayne City Plan Commission
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Attention: Mr. Gary Baeten

Re: Zoning for a parcel of ground containing
23 acres, more or less, located on the
west side of Adams Center Road, north of
Seiler Road. (Kenosha Land)

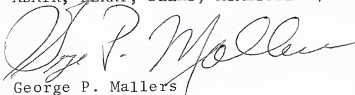
Dear Mr. Baeten:

Unfortunately, it is necessary for me to ask for a continuance of the hearing that is to be held on this date before the City Plan Commission for reasons beyond either the control of my clients or myself. It would be in the best interest of this project to continue the same until the next public hearing.

If you so desire, I will be most happy to pay for or send new notices out myself to interested parties prior to the next Commission meeting. Please advise.

Very truly yours,

ADAIR, PERRY, BEERS, MCALISTER & MALLERS


George P. Mallers

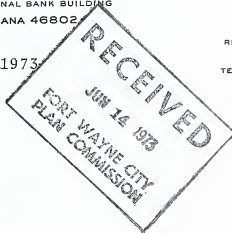
GPM:zj

ADAIR, PERRY, BEERS, MCALISTER & MALLERS
ATTORNEYS

2200 FORT WAYNE NATIONAL BANK BUILDING
FORT WAYNE, INDIANA 46802

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THOMAS E. RUZZO

June 13, 1973



RICHARD W. GOSHORN
OF COUNSEL
TELEPHONE 743-9706
AREA CODE 219

Mr. Gary Baeten
Fort Wayne City Plan Commission
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Re: Rezoning for a parcel of ground containing
23 acres, more or less, located on the west
side of Adams Center Road, north of Seiler
Road. (Kenosha Land, Inc.)

Dear Mr. Baeten:

Upon the request of my client, Kenosha Land, Inc., I hereby
request that you withdraw their petition for rezoning of the
above-described real estate.

They do not wish to pursue the rezoning and would like to
have the petition withdrawn, thereby leaving the land in its
present zoning category.

Your attention to this matter will be greatly appreciated
before any advertising costs are incurred and before the
matter is scheduled for public hearing.

Very truly yours,

ADAIR, PERRY, BEERS, MCALISTER & MALLERS

George P. Mallers
George P. Mallers

GPM:zj
cc: Kenosha Land, Inc.

Admn. Appr. ☒

DIGEST SHEET

Regulation
3-73-04-07

TITLE OF ORDINANCE Zoning Map Ordinance

DEPARTMENT REQUESTING ORDINANCE City Plan Commission / Room # 800

SYNOPSIS OF ORDINANCE _____

Preparation of a Zoning Map Amendment Ordinance petition initiated by

the property owners to rezone property located as follows:

SEE ATTACHED

Petition for MHP Boundary

EFFECT OF PASSAGE _____

*Provide for Mobile Home
Park*

EFFECT OF NON-PASSAGE _____

Remain as is

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

None

ASSIGNED TO COMMITTEE (J.N.) _____

Regulation

W.C.

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

CONTENTS OF ORDINANCE

BILL NO.	3-73-04-07
ORDINANCE NO.	Withdrawn
REGULAR SESSION	4-10-73
SPECIAL SESSION	
APPROVED AS TO FORM AND LEGALITY	Filed
BILL WRITTEN BY	
X DATE INTRODUCED	4-10-73
REFERRED TO SAID STANDING COMMITTEE	Nuckols Regulation
REFERRED TO CITY PLAN	4-10-73
LEGAL PUBLIC HEARING	
LEGAL PUBLICATION	
JOINT HEARING	
DEPARTMENT HEARING	
HOLD FILE	
PASS	
DO NOT PASS	
X WITHDRAWN	
SUSPENSION OF RULES	
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

X	COMMITTEE SHEET
X	VOTE SHEET
	PURCHASE ORDERS
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	Letters to City Clerk - COMMUNICATIONS FROM
	Editor "A"
	ZONING MAPS
	Petition to rezone.
	ABSTRACTS
	TITLES
	PRIOR APPROVAL LETTER

Reyes Smith

COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS			
HINGA			
KRAUS			
MOSES			
NUCKOLS			
D. SCHMIDT			
V. SCHMIDT			
STIER			
TALARICO			

COMMENTS:

Letter of Withdrawal